

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office MAR 18 2004

Returned to applicant for correction APR 01 2004

Corrected application filed \_\_\_\_\_

Map filed APR 09 2004

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The applicant **Brian E. Fulton** hereby make(s) application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

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1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **0.002785** second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Industrial and Domestic**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **within the NW¼ SW¼ of Section 14, T.17N., R.63E., M.D.B.&M., or at a point from which the SW corner of Section 14, T.17N., R.63E., M.D.B.&M., bears S. 17°00'03" W., 2,822.70 feet distant.**
6. Place of Use **Portions of the NW¼ SW¼ of Section 14, T.17N., R.63E., M.D.B.&M., Lot 5 of the Cross Timbers Subdivision.**
7. Use will begin about **January 1st** and end about **December 31st** of each year.
8. Description of proposed works **A well will be drilled and the water pumped into a pipeline and a building for use in design and development.**
9. Estimated cost of works is **\$40,000.00**
10. Estimated time required to construct works **5 years**
11. Estimated time required to complete the application of water to beneficial use **10 years**
12. Remarks: **We are requesting 0.002785 cfs at an annual consumptive use of 0.657 mga. The water will be used for research and development in a machine shop.**

s/Dean Neubauer  
By **Dean Neubauer, P.L.S.**  
**824 East Aultman Street**  
**Ely, Nevada 89301**

Compared cmf/sam lt/sam

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.002785 cubic feet per second, 2.02 acre-feet.

Work must be prosecuted with reasonable diligence and be completed on or before:

February 27, 2007

Proof of completion of work shall be filed on or before:

March 27, 2007

Water must be placed to beneficial use on or before:

February 27, 2009

Proof of the application of water to beneficial use shall be filed on or before:

March 27, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 27th day of February A.D. 2006

  
\_\_\_\_\_  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_